

Christian Community

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CIVIL RIGHTS AT THE MID-CENTURY

By Thomas C. Allen

The historic report "To Secure These Rights," of President Truman's Committee on Civil Rights was released in October, 1947. The National Democratic platform in 1948 called for Federal legislation guaranteeing security of the person, equality in voting, employment and treatment in the armed forces. The Republican platform was even more explicit on the subject of Civil Rights. The legislative records, however, of both the Republican Eightieth Congress and the Democratic Eighty-first Congress revealed the emptiness of these promises. The legislative score at the Federal level is still zero. The one hopeful sign has been the large number of Civil Rights bills introduced in both the House and Senate. The fact that these bills have been blocked by filibuster, died in committee, or were amended on the floor so as to take away from them any real power overshadows the faint dawn of a new day, and leaves a darkness in the broad area of human

rights for millions of native-born citizens of the United States.

The Record of Congress

Performance is the test of the sincerity of promise. Let us look at the record of the Eighty-first Congress and let this record speak for itself. The Anti-Lynching bills of both House and Senate, HR 4683 and S 1726 were referred to the Judiciary Committees. Public hearings were held by a subcommittee of the House Judiciary Committee in May and June, 1949, and again in January, 1950, but no further action was taken. Senate Bill S 91 was reported favorably by the Senate Judiciary Committee in June, 1949, but with an amendment that made the law applicable only when public officials were involved.

Anti-Poll Tax House Bill, HR 3199, was passed by the House on July 26, 1949; but the companion Senate Bill S 1727 was referred to a sub-committee on Rules and Administration of the

Senate and no further action has been taken.

A Fair Employment Practices Bill HR 4453 was passed by the House on February 23, 1950, after having been amended in order to eliminate enforcement provisions. The companion bill S 1728 was reported by the Senate Committee on Labor and Public Welfare without recommendation on October 17, 1949. Two unsuccessful attempts were made during 1950 to defeat filibusters against motions to consider the bill. The two cloture proposals received 52 and 55 votes respectively, far short of the 64 votes needed under the new cloture rule.

On August 24, 1950 Senate Resolution, S 336 was introduced to amend the Senate rules so as to permit cloture, that is to close debate, after 14 days by a simple majority vote. The resolution was referred to the Senate Committee on Rules and Administration, but no action was taken.

Federal Aid to Education, Bill S 246, was passed by the Senate on May 5, 1949. House Bill HR 7160 was introduced on February 6, 1950 and in March the Committee on Education and Labor voted 13 to 12 against reporting the bill favorably. Later efforts to achieve compromise between HR 7160, S 248 and three other bills were unsuccessful.

Comprehensive Civil Rights and Senate Bills HR 4682 and S 1725 were referred to Committee of the Judiciary. A sub-committee of the Judiciary reported favorably on HR 4682 in February, 1950, but no further action has been taken. A sub-committee of the Senate Judiciary Committee held hearings on S 1725 in August, 1949, but no action was taken by the committee.

Unsuccessful efforts have been made also to amend immigration and naturalization laws. House Bill HR 199 designed to eliminate racial barriers of immigration and grant quotas to Asiatic



Swope-Kokomo Tribune

Young People of First Congregational Church, Kokomo, Indiana, discover an old Ku Klux Klan cross while renovating a 24-acre recreational area presented to the church. Once owned by the Klan and known as Melfalfa Park, it has been designated as the Andrew G. Tynan Memorial Woods, dedicated to brotherhood and the use of all groups.

groups, now excluded, was passed by the House in March, 1949. Hearings before a sub-committee of the Senate Judiciary Committee were completed in July, 1949. In May, 1950, the Committee postponed action indefinitely. House Joint Resolution H.J.R. 238, designed to eliminate racial barriers to naturalization of aliens already in this country, was passed by the House in June, 1949, and by the Senate in June, 1950. After conference on August 30, 1950, it was sent to the President. It was vetoed by the President on September 19, 1950 because of anti-subversive restrictions added by the conference committee. The House voted to override the President's veto on September 14. The Senate has not yet acted on the veto. House and Senate Bills HR 374 and S 554 dealing with immigration and naturalization of Koreans have been referred to committees of the Judiciary. No action has been taken on HR 374, while action has been postponed indefinitely on S 554 by the Senate Committee on Judiciary.

House Bills HR 49 and HR 331, granting statehood to Hawaii and Alaska, have been passed by the House in March, 1950. They have been reported favorably by the Senate Committee on Interior and Insular Affairs, but no further action has been taken.

The record of the Eighty-first Congress shows no substantial progress in the passage of much needed legislation in the area of Civil Rights for the protection of all people.

States Score Gains

At the state level the legislative score in Civil Rights shows some improvement. In fact, the record shows that 19 anti-discrimination and Civil Rights laws were enacted in 1949 in 12 different states. This is a larger number than that of any previous year in our history. It is interesting to note that an analysis of these legislative efforts reveals they are in the same general areas contained in the political platforms of the two major parties, namely, security of the person, citizenship privileges and responsibilities, adequate housing and health services, equality of employment and educational opportunities.

Texas passed an Anti-Lynch law. Alabama enacted legislation prohibiting the wearing of masks. This type of legislation also has been enacted in a number of cities in other states.

In the seven remaining states that require the payment of a poll tax for

voting, three states—South Carolina, Tennessee and Virginia—won by petition the right of holding referenda on the changing of state voting laws. In Tennessee and Virginia the proposals were defeated. It is interesting to note that while the Virginia legislation would have removed the poll tax, the stringent requirements for registration would have restricted suffrage. Therefore, many liberal groups worked to defeat the legislation. On the other hand, in South Carolina where the issue was simply the removal of the poll tax as a requirement for voting, the referendum was successful. Thus the number of states with poll tax as a voting requirement is now six.

New York and New Jersey have enacted laws forbidding discrimination and segregation in all public housing and housing constructed with the assistance of public funds. Pennsylvania and Wisconsin prohibit discrimination in urban redevelopment projects. Massachusetts has set up a State Committee Against Discrimination and broadened its jurisdiction to include public housing.

Connecticut and New Jersey have completely revised their procedure for the enforcement of Civil Rights laws applicable to hotels, restaurants, and other places of public accommodation. California, Connecticut, Illinois, Massachusetts, Minnesota, New York, Pennsylvania and Wisconsin passed laws that prohibit segregation in the National Guard.

New Mexico, Oregon, Rhode Island, and Washington passed FEPC laws with enforcement powers, which added to the four states that already have such legislation, namely, New York, New Jersey, Massachusetts, and Connecticut, brings the total to eight. Kansas passed legislation creating a temporary commission to investigate unfair employment practices. Nebraska authorized its legislative council to study unfair employment practices and to suggest changes. Minnesota appropriated \$5,000 to its Interracial Council for a two-year educational campaign to eliminate discrimination in employment. Altogether, fair employment practices legislation was introduced in 12 states and received active consideration in 9: California, Colorado, Illinois, Indiana, Nebraska, Minnesota, Montana, Michigan and Pennsylvania.

Progress has been made also in the area of educational practices. Massachusetts adopted a fair education practices act. Illinois, Indiana and Wisconsin outlawed segregation in their

public schools. Illinois attached a rider to its appropriation bill for funds to school districts, stating that no appropriation would be allocated to those areas where segregation is practiced. The main features of the Indiana law are: no new segregated schools shall be opened; grade schools must be opened to all regardless of race in 1950, junior high schools by 1951, and senior high schools by 1954. The Wisconsin law eliminates segregation in public schools on the basis of religion, nationality or color. In 1949 Kentucky amended its widely known Day Law which prohibited the teaching of the races in the same class room. The compulsory segregation law was amended to permit Negroes to attend all colleges and universities whenever comparable courses were not available in the State College for Negroes.

In the Courts

Perhaps one of the most significant gains in the full equalization of educational opportunity is scored not in the legislative realm, but rather in the courts. The favorable decision of the Supreme Court of the United States rendered on June 5, 1950, in the petitions of Heman W. Sweatt vs. the University of Texas, and G. W. McLaurin vs. the University of Oklahoma has proved a long overdue homerun in the contest to guarantee equality of opportunity to the youth of each state. "The Supreme Court . . . has led the South into a truly courageous step toward genuine human equality," was the verdict rendered by the student newspaper, *The Daily Texan*, of the University of Texas. The vital significance of this Supreme Court decision is seen in the fact that some 200 Negro students in 11 Southern states are now attending 21 heretofore all-white institutions. Only five of these Southern states—Alabama, Mississippi, Georgia, South and North Carolina—have not as yet responded to this ruling. This has happened and there has been no race riot, nor even marked hostility on the part of students or faculty. It is beginning to be accepted as normal. It has been only 12 years since the Gaines decision and just two years since the first Southern state university admitted a Negro student, yet today in eight Southern states and three border states the racial bars have been lowered.

Since the decision of the Supreme Court on June 5, 1950, other favorable decisions have been rendered which permit Negroes to be enrolled as graduate students in the universities of Virginia,

Tennessee, Louisiana, Maryland and Florida. In only one state, North Carolina, has the Court's decision been unfavorable. This decision has been appealed by attorneys for the students on the ground that the law school at North Carolina College for Negroes was not "substantially equal." In Delaware Negro students have been admitted to the undergraduate school of the University. The Delaware case is especially significant because it covered undergraduate courses. The University already admitted Negroes to its graduate schools where the desired courses were not offered in the State College for Negroes. In Arkansas and Kentucky Negro students have been admitted to the graduate school of the State University without the tedious delaying and costly action of filing suits.

The *New York Times* in an editorial says: "... Negroes are attending classes in colleges and universities of the South alongside white students without evidence of friction." Continuing the editorial states, "The most important single factor . . . has been . . . the decisions of the Supreme Court requiring that the states grant Negroes educational facilities equal to those offered the whites."

Civil Rights groups concentrating on state and local legislation have piled up a legislative score during the lifetime of the Eighty-first Congress that is higher than in any similar period in our country's history. The responsibility for failure of Civil Rights legislation in the Eighty-first Congress must be shared by both political parties.

The Reverend Thomas C. Allen, Th.D., was born in Virginia, held a fellowship at the Southern Baptist Theological Seminary, Louisville, Kentucky, and after serving various pastorates came by way of the Virginia Council of Churches to his present position of Co-Director of the Department of Race Relations of the National Council of the Churches of Christ in the U. S. A.

The Reverend Alfred Schmalz, formerly on the staff of the Council for Social Action, and author of Christian Practices, is pastor of the Congregational Church at Darien, Connecticut.

HOW DARIEN MET A PROBLEM

By Alfred Schmalz

The Boston Post Road out of New York City cuts through the heart of a number of typically suburban Fairfield County towns. One of these towns is Darien, about an hour and a half's bus ride out of the city.

This summer, with chartered bus traffic greatly on the increase, week-end bus congestion at a local eating place created a considerable health and safety problem.

On Saturdays and Sundays, particularly on Sundays, from 10:30 a. m. to 12 o'clock, some 75 or more chartered busses, starting out independently in small groups from the New York and New Jersey area, each with some 30 passengers, arrived in Darien at this one rest spot.

The rest room facilities were totally inadequate for so large a group, with the result that nearby private wooded areas were quite naturally made use of. Complaints from residents were understandable.

The police were also exercised, for reasons of safety. Large busses lined up on the Post Road created a hazard for general auto traffic, and the lives of the bus passengers getting off and on the busses were endangered by passing autos. Each Sunday some three or four policemen had to be on duty, although at just that hour they were needed elsewhere in town to take care of Church traffic.

An added factor—and the factor which had made for the congestion, it was promptly seen, was that all the passengers were Negroes.

In response to the invitation of the local Chief of Police, the Minister of the Congregational Church looked over the situation, one morning after church. Passengers and bus drivers were interviewed. It developed that none of the passengers knew where they were to be dropped off for a rest period, that they were not acquainted with any but a few people in their own bus, and that they came up through this section only once a year on their way to a pleasure park. Obviously, then, they had no control over the situation. The bus drivers produced the answer. They stopped in Darien because they either

knew or felt that other places on the Post Road would not be open to their clientele. The Darien restaurant gave them welcome. They appreciated the problems the local community faced. They didn't know what could be done; they had to make a stop somewhere.

The problem, then was not purely local at all. Indeed it could not be solved locally, unless by some ordinance—if such were constitutional—to prohibit chartered bus stops within the limits of the town. This might eliminate local frictions. It did not offer help in any larger sense.

The agency to tackle the problem was obviously the State Inter-racial Commission, whose work was familiar to the Minister, and whom he at once contacted. It is noteworthy that neither the Chief of Police nor the First Selectman (who later came into the picture) were aware of the Inter-racial Commission's existence. The Commission at once sent down an investigator from Hartford, who made a thorough study of the situation by contacting the local restaurant owners, the bus companies, and the police, and then covered the Post Road to locate other suitable restaurants for chartered bus stops.

A state law forbids discrimination in places of public accommodation. Plainly, discrimination was being practiced, although perhaps quite indirectly. The Commission's staff is securing an agreement from other places to accept a certain number of busses, based purely on the problem of congestion. In this way, by staggering the bus stops, no community, no one eating place, will be overloaded.

Chartered bus travel ended with Labor Day. The Commission has assured Darien officials that by next summer the problem will be solved.

Locally there might have developed unhappy inter-racial feeling and friction, through no fault of the bus passengers but because of discrimination outside the town. The problem found its solution because five years ago a State Inter-racial Commission was organized to help in just such a situation.

MOVES TOWARD BROTHERHOOD

As a result of a 90-page study of educational conditions in Missouri, made by a Congregational Christian Layman, Dr. John J. Kessler, a dozen organizations have gotten behind a movement to end segregation in the public schools of St. Louis. These include the Metropolitan Church Federation, the Committee on Christian Social Action of the Missouri Valley Synod of the Evangelical and Reformed Church, the Catholic Interracial Council, and the Jewish Community Relations Council. It will be recalled that the Roman Catholic Archbishop of St. Louis several years ago took steps to abolish segregation in the parochial schools conducted by his denomination.

Some of the findings of Dr. Kessler's study have been presented in digest form in a four-page folder. This shows, for example, that Negro children, representing 31% of the school population, have at their disposal only 11% of the school property. The operating budgets reveal differentials as high as the spread between \$302 and \$196 per pupil as between white and Negro technical schools.

Associated Press dispatches and headlines proclaimed the action of the white Staffordville (Connecticut) Congregational Church in electing a Negro, the Reverend Roland T. Heacock, as its minister. That is good news, but one is inclined to ask with Mr. Heacock: "Why should it be big news?"

Announce Convocation

The Commission on Evangelism and the Commission on Christian Social Action of the Evangelical and Reformed Church will conduct a Convocation on the Church's Message and Mission at Trinity Church, Cleveland, Ohio, March 27 to 29. Among the leaders secured for this meeting are Dr. Fred Hoskins, pastor of the First Congregational Church of Oak Park, Illinois, the Rev. Robert Bilheimer, program secretary for the World Council of Churches, and Mr. John Ramsay, public relations representative of the Congress of Industrial Organizations.

It is expected that each synod will send one person representing its committee on evangelism and one representing its committee on Christian social action. Further information may be secured from the office of either Commission.



The three-volume work on *Church and State in the United States*, by Anson Phelps Stokes (Harper, \$25.00), contains a library of information on what has been said and done on the subject. Those who work through its nearly three thousand pages of historical review and contemporary analysis will have a perspective which should save them from some of the current misunderstanding and oversimplification of the problem and enable them to see the real issues more clearly.

The Committee for Economic Development as one of its Research Studies has sponsored Professor Harold D. Lasswell's *National Security and Individual Freedom* (McGraw Hill \$3.50). He faces the problem of how to "prevent successful aggression by a totalitarian dictatorship without becoming transformed in the process into a garrison prison." It is especially encouraging to find, in a book originating

Tour to Study Europe

The Council for Social Action takes pleasure in announcing a European Seminar to study at first hand the social and religious situation in Europe during the summer of 1951. Led by the Director of the Council, Dr. Ray Gibbons, and his wife, Marjorie L. Gibbons, Director of Religious Education at the Church in the Highlands, White Plains, New York, this program will get under way on June 26th.

Following two days of orientation, the group will fly to London, where conferences with leaders in labor, industry, government and church have been scheduled. Housing projects, health clinics, historic Oxford and industrial Manchester will be among the places visited.

The projected itinerary includes Copenhagen, Paris, Berlin, Frankfurt, Bonn, Geneva, Rome and Naples. The group will return to New York by plane August 9th, except for those who extend their sightseeing or arrange for transportation by ship.

It is estimated that the cost of the seminar will be between \$1,000 and \$1,100, covering registration and all and personal expenditures. Applications accompanied by a deposit of \$100 should be sent to the Council for Social Action as soon as possible to assure a reservation in the group. expenses other than laundry, theatres

Speaking of Books

in the research committee of a responsible management organization, the frank recognition that liberalism and democratic socialism are not identical with nor friendly to communism (as less candid propagandists assert). It is likewise important that the author reminds us that our national security is directly tied up with our advances against racial discrimination and economic instability at home. H. F. K.

Safety, Security and the South by Alexander F. Miller and Mozell Hill (published by the Southern Regional Council) is a revealing interpretation of a survey of opinions of Negro school teachers in southern cities, towns and rural communities. It portrays varying degrees of frustration in the educated southern Negro as related to his physical safety and social mobility. Concrete suggestions are made as to ways in which physical safety and social security can be progressively realized. J. P. R.

Commission to Meet

The Commission on Christian Social Action will hold its mid-winter meeting at the Hotel Willard, Washington, D. C., January 23 to 25.

Ministers and members of churches in the area are invited to participate in the activities of the Commission on Wednesday, January 24th. During the morning representatives of private and public agencies working in Washington will be heard. At 2 o'clock there will be a conference with representatives of the State Department.

At 6:30 First Evangelical and Reformed Church, 13th St. at Monroe, N. W., will be host to those in attendance at a Fellowship Dinner, with Prof. Elmer J. F. Arndt and Rev. Thomas B. Keehn as speakers. Reservations for the latter must be sent to First Church not later than January 15.

CHRISTIAN COMMUNITY

Additional copies may be obtained for 25 cents each. Requests from Congregational Christians should be addressed to Ray Gibbons, Director, Council for Social Action, 289 Fourth Avenue, New York 10, New York. Requests by Evangelical and Reformed, and others, as well as news items and communications, should be addressed to the Editor, Huber F. Klemme, Commission on Christian Social Action, 2969 West 25th Street, Cleveland 13, Ohio.